

**Remarks**

The undersigned's Remarks are preceded by related comments of the Examiner, presented in small bold-faced type font.

**Claim rejections - 35 USC § 112**

**Claim 1 rejected under 35 U.S.C. § 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 recites a "system for managing transactional information." The claimed system is comprised of a party file, an account file, and a transaction file. Claims 1-10 do not recite the function or use of any system, or how the system uses said files.**

Applicants have amended claims 1-10 to comply with 35 § USC 101 (see below). Claims 1-10 are now drawn to "A computer-readable medium encoded with a data structure for managing transaction information". The computer-readable medium encoded with the data structure recited in the claim, is used "for managing transaction information" in the manner disclosed in the specification. Applicants respectfully submit that this rejection is now overcome.

**Claim rejections - 35 USC § 101**

**Claims 1-10 rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. The party file, account file, and transaction file recited in claims 1-10 are not statutory because they are not capable of causing functional change in the computer. Such claimed data structures do not define any structural and functional interrelationships between the data structure and other claimed aspects of the invention which permit the data structure's functionality to be realized (MPEP § 2106).**

Applicants have hereby amended claims 1-10 to comply with 35 § USC 101. Applicants respectfully submit that this rejection is now overcome.

**Claim rejections - 35 USC § 102**

**Claims 1, 11 and 21 rejected under 35 U.S.C. 102(a) as being anticipated by Cochrane et al. U.S. Patent No. 6,460,027. Cochrane discloses a credit card company storing credit card customer information, their credit card accounts, and transactions that customers made. Cochrane describes the "database schema" as having a customer information table, an account information table, and a transaction information table (column 5, lines 47-58), each account record in the account information table having a link to a customer record in the customer information table (column 6, line 18), and each transaction record in the**

**transaction information table having a link to an account in the account information table (column 6, line 35).**

The Examiner's rejection is respectfully traversed. Contrary to the Examiner's suggestion, Cochrane does not teach a computer-readable medium encoded with a data structure for managing transaction information, a method for managing transactional information, or a method of using a computer for managing transactional information, as recited by claims 1, 11, and 21, respectively.

To support a rejection under § 102(a), the cited prior art of reference must disclose each element of the rejected claim in the manner recited by the claim. Cochrane, however, does not disclose at least the elements of claims 1, 11 and 21 "each of said plurality of party records having party information relating to one of a plurality of parties". In Cochrane's disclosure, the customer information table does not have a link to at least another customer. Claims 1, 11 and 21 require that each party record have party information relating to one of a plurality of parties. This is exemplified in Figures 2, 3A and 3B of Applicants disclosure. For at least the reason that the Examiner has not shown that Cochrane teaches or suggests these limitations, a § 102(a) rejection of claims 1, 11 and 21 in light of Cochrane is not supported. It is respectfully requested that the Examiner withdraw the rejection.

#### **Claim rejections - 35 USC § 103**

**Claims 2-6 and 12-16 rejected under 35 U.S.C. 103(a) as being unpatentable over Cochrane. Cochrane teaches account records being linked to party records. Cochrane fails to teach said party records containing fields for principle party, order placer party, salesperson party, booking company party, and guarantor party. Official notice is taken that it is old and well known in the art that in a database structure, records may have any number of fields containing information pertaining to said records. The parties of claims 2-6 and 12-16 represent the Applicants' intended use. Therefore, it would be obvious to one of normal skill in the art to include any fields within each party record, which are required for the database's intended use and operation.**

The Examiner's rejection is respectfully traversed. The Examiner states that "Cochrane fails to teach said party records containing fields for principle party, order placer party, salesperson party, booking company party, and guarantor party" and that "it would be obvious to one of normal skill in the art to include any fields within each party record, which are required for the database's intended use and operation". Applicants respectfully submit that this argument is inappropriate to justify the Examiner's

rejection, since the “database’s intended use and operation” are part of Applicants’ invention and cannot be considered obvious.

As recited by the MPEP:

*“The initial burden is on the examiner to provide some suggestion of the desirability of doing what the inventor has done. To support the conclusion that the claimed invention is directed to obvious subject matter, either the references must expressly or impliedly suggest the claimed invention or the examiner must present a convincing line of reasoning as to why the artisan would have found the claimed invention to have been obvious in light of the teachings of the references.” Ex parte Clapp, 227 USPQ 972, 973 (Bd. Pat. App. & Inter. 1985).”*

*“When applying 35 U.S.C. 103, the following tenets of patent law must be adhered to:(...)”*

*(C) The references must be viewed without the benefit of impermissible hindsight vision afforded by the claimed invention (...)*

*Hodosh v. Block Drug Co., Inc., 786 F.2d 1136, 1143 n.5, 229 USPQ 182, 187 n.5 (Fed. Cir. 1986).”*

In the Background section of the Application, Applicants describe the deficiencies in the data structures of the prior art, which limit the operability and efficiency of databases managing financial accounts. Part of Applicants’ invention is to establish specific links between determined records to allow for new operability of the databases and consequently, improved efficiency. In other words, the intended use of Applicants’ database did not exist prior to Applicants’ invention. In particular, claims 2-6 and 12-16, which depend either directly or indirectly from claims 1 or 11, require that “each of said plurality of party records having party information relating to one of a plurality of parties”, which as explained earlier, is not taught by Cochrane. Therefore, adding any fields within each party record, when the limitations “each of said plurality of party records having party information relating to one of a plurality of parties” are not met, cannot be rendered obvious. It is further submitted that the Examiner’s rejection appears to be based on impermissible hindsight reasoning.

**Claims 7-10 rejected under 35 U.S.C. 103(a) as being unpatentable over Cochrane as applied to Claim 1 above, and further in view of Bromley et al. U.S. Patent No. 5,819,263. Cochrane**

fails to teach party records having a hierarchical relationship field that relates a first party to a second party. Bromley discloses a financial planning system incorporating relationship and group management, organizing client, account, and transaction information in a database structure, containing client and transaction records. Bromley teaches each person or organization is assigned a client ID, and may have a unique role or relationship with another person or organization, for example as a mother and daughter (column 14, lines 29-45). These relationships are defined by organizing parties into groups, and assigning group IDs to individual parties.

It would be obvious to one skilled in the art at the time of the Applicants' invention to include the group ID field for defining hierarchical relationships in the system and method described by Cochrane, in order to "provide efficient customer service," to "avoid sending duplicate correspondence," to "improve speed of the system", and for "responding to special requests" which are all desirable traits of such a system (Bromley, column 14, lines 55-67).

Examiner notes that guarantor-guarantee relationship in claim 10 is recited as intended use only, and is therefore anticipated by the teachings of Bromley.

Applicants respectfully traverse the Examiner's rejection. As explained earlier, Cochrane does neither anticipate nor render obvious the invention of claim 1, from which claims 7-10 depend, either directly or indirectly.

Even if there was a motivation to combine Cochrane and Bromley, the combination of both references would not teach or suggest all the claim limitations of claims 7-10, since Bromley does not disclose at least a "hierarchical relationship field". Bromley discloses a data structure where "every contact classified as a PERSON or ORGANIZATION is preferably in a GROUP" (col. 14, lines 51-53). Bromley adds "In a preferred embodiment, for an advisor to provide efficient customer service, these parties are organized into GROUPS. Grouping the parties allows an advisor to avoid sending duplicate correspondence to related people or organizations. To improve the speed of the system, grouping also eliminates duplicate address fields in the database. Furthermore, the grouping of parties allows an advisor to respond to special requests from individual parties. For example, after two people go through a divorce, each of the people typically request separate statements to be sent to separate addresses. The grouping of clients, along with relationship fields, allows an advisor to efficiently respond to this request" (col. 14, lines 55-67). Therefore, Bromley discloses the use of a "unique group ID", Bromley does not disclose a "hierarchy relationship field", as described in Applicants' specification:

"In addition to establishing party relationships as described above, party record 3 includes a hierarchical relationship field 27 for identifying parties that are related to each other in a

hierarchical structure. Hierarchical relationship field 27 consists of an HQ1 field 27A and an HQ2 field 27B. Hierarchical relationship field 27 is used as follows. Assume the party of party record 3(6) is a corporation and that corporation owns a subsidiary corporation that is a party stored in party record 3(4). Assume further that the corporation of party record 3(4) owns a subsidiary corporation that is a party stored in party record 3(1). To identify that these three corporations are all related entities (which may not be apparent from the party names), a link is placed in HQ1 field 27A(1) of party record 3(1) pointing to HQ2 field 27B(4) of party record 3(4) that indicates that the party of party record 3(4) is the parent of the party of party record 3(1). Similarly, a link is placed in HQ1 field 27A(4) of party record 3(4) pointing to HQ2 field 27B(6) of party record 3(6) that indicates that the party of party record 3(6) is the parent of the party of party record 3(4). When the tree structure defined by the links stored in hierarchical relationship fields 27(1), 27(4) and 27(6) is traversed, the hierarchical relationship between the three corporations is determined, as shown in FIG. 3B. As will be shown later, determining the hierarchical relationship between parties is necessary to effectively perform risk management and profitability analysis.

Although the creation of party relationships and hierarchical relationships has been shown using links placed in party relationship field 29 and hierarchical relationship field 27, respectively, to create a tree structure to identify the desired relationships, it will be understood by one possessing ordinary skill in the art that any other technique to identify the party and hierarchical relationships between the parties may be used. Additionally, the system has the ability to maintain multiple hierarchies.” (page 12)

The Examiner refers to the example given in Bromley of a mother/daughter relationship existing between two persons. A “relationship” is not equivalent to a “hierarchical relationship”. There is no hierarchy implied in the example provided by Bromley that corresponds to the hierarchical relationship as described in the Applicants’ disclosure. Bromley groups clients to avoid duplicating correspondence and to simplify the database. Bromley does not teach to record a hierarchy within a group of clients.

With respect to relationships, Applicants describe relationships that for example are established between different parties that can be a corporation and a person:

“Referring now to FIG. 4, there is shown a block diagram of party file 3 showing relationships between particular party records 3(x). Each party record 3(x) also includes a party relationship field 29 that facilitates the creation of relationships between different parties stored in party file 3. For example, if XYZ Corp. is a party stored in party record 3(5) and Mr. Smith, a board member of XYZ Corp. is a party stored in party record 3(7), it is useful to identify Mr. Smith as a board member of XYZ Corp. so that his obligations with respect to buying/selling XYZ Corp. stock are not violated. To create such a relationship between XYZ Corp. and Mr. Smith, party relationship field 29(5) of party record 3(5) will contain a link, using known database programming techniques, to party record 3(7) identifying that party as a board member of the party contained in party record 3(5). Also, party relationship field 29(7) of party record 3(7) will contain a link to party record 3(5) identifying that party as a company that the party contained in party record 3(7) is a board member of.” (page 11)

Bromley teaches away from this kind of relationship, since it teaches that “Each person is assigned a CLIENT ID and may have a unique role or relationship with other PERSONS” (col 14., lines

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37-39) and “Each ORGANIZATION is assigned a CLIENT ID, and in an alternative embodiment, has a unique relationship with other ORGANIZATIONS” (col 14, lines 48-51).

For the foregoing reasons, claims 7-10 cannot be obvious in view of Cochrane and Bromley.

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**Closing**

Claims 1-10 have been amended. Claims 1-21 are now pending and believed to be in condition for allowance. Applicants respectfully request that all pending claims be allowed.

Please apply any credits or excess charges to our deposit account number 50-0521.

Respectfully submitted,

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